

INITIAL STATEMENT OF REASONS

- a) Specific Purpose of the Regulations and Factual Basis for Determination that Regulations Are Necessary

Section 80001(a)(10)

Specific Purpose:

This section is adopted to define the term "Automated External Defibrillator" (AED) as it applies to adult community care facilities.

Factual Basis:

This section is necessary to provide a definition of this term as it is used in adult community care facilities.

Sections 80061(b)(1)(C) through (b)(1)(J)

Specific Purpose:

Section 80061(b)(1)(C) is adopted to require that the use of an AED in an adult community care facility be reported to the licensing agency within one business day. The adoption of this section requires renumbering previous Sections 80061(b)(1)(C) through (b)(1)(I) to Sections 80061(b)(1)(D) through (b)(1)(J) for numerical consistency.

Factual Basis:

Section 80061(b)(1)(C) is necessary to specify that in adult community care facilities, the use of an AED is a reportable event as identified in Section 80061(b). Renumbering previous Sections 80061(b)(1)(C) through (b)(1)(I) to Sections 80061(b)(1)(D) through (b)(1)(J) is necessary for numerical consistency.

Sections 80075.1

Specific Purpose:

This section is adopted to establish the requirements for having and using AEDs in adult community care facilities.

Factual Basis:

This section is necessary to ensure that in adult community care facilities, users of AEDs have the necessary training; that AEDs are properly maintained and used; and that their use is reported as specified in Section 80061(b), as required by Health and Safety Code Section 1797.196.

Section 80075.1(a)

Specific Purpose:

This section is adopted to permit licensees of adult community care facilities to maintain and operate an AED within their facilities.

Factual Basis:

This section is necessary to provide permission for the use and operation of AEDs in adult community care facilities, as authorized by Health and Safety Code Section 1797.196.

Section 80075.1(a)(1)

Specific Purpose:

This section is adopted to require licensees to notify the licensing agency in writing that an AED is in the adult community care facility and will be used in accordance with all applicable federal and other state requirements.

Factual Basis:

This section is necessary to place into regulation the requirement that licensees notify the licensing agencies that an AED is in the adult community care facility and will be used in accordance with all applicable federal and other state requirements, as required by Health and Safety Code Section 1797.196.

Section 80075.1(a)(2)

Specific Purpose:

This section is adopted to require that AEDs in adult community care facilities be used in accordance with all applicable federal and other state requirements.

Factual Basis:

This section is necessary to place into regulation that in adult community care facilities, AEDs be used in accordance with all applicable federal and other state requirements, as required by Health and Safety Code Section 1797.196.

Sections 80075.1(a)(3) through (a)(3)(E)

Specific Purpose:

These sections are adopted to identify the items that must be maintained in an adult community care facility that has an AED: (A) a copy of the required physician's prescription for the AED; (B) a training manual from an American Heart Association- or American Red Cross-recognized AED training class; (C) a log of checks of operation of the AED containing the dates checked and the name of the person checking; (D) a copy of a valid AED operator's certificate for any employee(s) authorized by the licensee to operate the AED on the premises; and (E) a log of quarterly proficiency demonstrations for each holder of an AED operator's certificate who is authorized by the licensee to operate the AED on the premises.

Factual Basis:

These sections are necessary to place into regulation the items that must be maintained in an adult community care facility that has an AED, as required by Health and Safety Code Section 1797.196.

Sections 80075.1(a)(4) through (a)(4)(E)

Specific Purpose:

These sections are adopted to require that the adult community care facility have readily available a supply kit containing these items: (A) a back-up battery set; (B) an extra set of pads; (C) a safety razor for shaving chest hair when necessary to apply the pads; (D) a cardiovascular pulmonary resuscitation barrier (a face shield or mask) for protection from transmission of infectious disease; (E) and two pairs of unused medical examination gloves (latex or non-latex).

Factual Basis:

These sections are necessary to place into regulation the requirement that the adult community care facility maintain a supply kit containing necessary supplies, as required in Health and Safety Code Section 1797.196.

Section 80075.1(a)(5)

Specific Purpose:

This section is adopted to require the reporting of any use of an AED in an adult community care facility, as specified in Section 80061(b).

Factual Basis:

This section is necessary to specify that the use of an AED in an adult community care facility is a reportable event, as specified in Section 80061(b).

Section 82001(a)(12)

Specific Purpose:

This section is adopted to define the term "Automated External Defibrillator" (AED) as it applies to adult day care facilities/adult day support centers (ADCF/ADSCs).

Factual Basis:

This section is necessary to provide a definition of this term as it is used in ADCF/ADSC regulations.

Sections 82061(b)(1)(C) through (b)(1)(I)

Specific Purpose:

Section 82061(b)(1)(C) is adopted to require that the use of an AED in ADCF/ADSCs be reported to the licensing agency within one business day. The adoption of this section requires renumbering previous Sections 82061(b)(1)(C) through (b)(1)(H) to Sections 82061(b)(1)(D) through (b)(1)(I) for numerical consistency.

Factual Basis:

Section 82061(b)(1)(C) is necessary to specify that the use of an AED in ADCF/ADSCs is a reportable event as identified in Section 82061(b). Renumbering previous Sections 82061(b)(1)(C) through (b)(1)(H) to Sections 82061(b)(1)(D) through (b)(1)(I) is necessary for numerical consistency.

Section 82075.2

Specific Purpose:

This section is adopted to establish the requirements for having and using AEDs in ADCF/ADSCs.

Factual Basis:

This section is necessary to ensure that in ADCF/ADSCs, users of AEDs have the necessary training; that AEDs are properly maintained and used; and that their use is reported as specified in Section 82061(b), as required by Health and Safety Code Section 1797.196.

Section 82075.2(a)

Specific Purpose:

This section is adopted to permit licensees of ADCF/ADSCs to maintain and operate an AED within their facilities.

Factual Basis:

This section is necessary to provide permission for the use and operation of AEDs in ADCF/ADSCs.

Section 82075.2(a)(1)

Specific Purpose:

This section is adopted to require licensees to notify the licensing agency in writing that an AED is in the ADCF/ADSC and will be used in accordance with all applicable federal and other state requirements.

Factual Basis:

This section is necessary to ensure that the Department is aware of which ADCF/ADSCs have AEDs so that the Department can monitor their use, as required by Health and Safety Code Section 1797.196.

Section 82075.2(a)(2)

Specific Purpose:

This section is adopted to require that AEDs in ADCF/ADSCs be used in accordance with all applicable federal and other state requirements.

Factual Basis:

This section is necessary to place into regulation that in ADCF/ADSCs, AEDs be used in accordance with all applicable federal and other state requirements, as required by Health and Safety Code Section 1797.196.

Sections 82075.2(a)(3) through (a)(3)(E)

Specific Purpose:

These sections are adopted to identify the items which must be maintained in an ADCF/ADSC which has an AED: (A) a copy of the required physician's prescription for the AED; (B) a training manual from an American Heart Association- or American Red Cross-recognized AED training class; (C) a log of checks of operation of the AED containing the dates checked and the name of the person checking; (D) a copy of a valid AED operator's certificate for any employee(s) authorized by the licensee to operate the AED on the premises; and (E) a log of quarterly proficiency demonstrations for each holder of an AED operator's certificate who is authorized by the licensee to operate the AED on the premises.

Factual Basis:

These sections are necessary to place into regulation the items that must be maintained in an ADCF/ADSC that has an AED, as required by Health and Safety Code Section 1797.196.

Sections 82075.2(a)(4) et seq.

Specific Purpose:

These sections are adopted to require the ADCF/ADSC to have readily available a supply kit containing these items: (A) a back-up battery set; (B) an extra set of pads; (C) a safety razor for shaving chest hair when necessary to apply the pads; (D) a cardiovascular pulmonary resuscitation barrier (a face shield or mask) for protection from transmission of infectious disease; (E) and two pairs of unused medical examination gloves (latex or non-latex).

Factual Basis:

These sections are necessary to place into regulation the requirement that the ADCF/ADSC maintain a supply kit containing necessary supplies, as required by Health and Safety Code Section 1797.196.

Section 82075.2(a)(5)

Specific Purpose:

This section is adopted to require the reporting of any use of an AED in an ADCF/ADSC, as specified in Section 80061(b).

Factual Basis:

This section is necessary to place into regulation the requirement of reporting any use of an AED in an ADCF/ADSC, as specified in Section 82061(b).

Section 87101(a)(7)

Specific Purpose:

This section is adopted to define the term " Automated External Defibrillator" (AED) as it applies to residential care facilities for the elderly (RCFEs).

Factual Basis:

This section is necessary to provide a definition of this term as it is used in RCFEs.

Section 87561(a)(1)

Specific Purpose/Factual Basis:

This section is amended to correct a cross reference. This section is necessary for clarity and consistency.

Section 87561(a)(1)(C) through (a)(1)(D)

Specific Purpose:

Section 87561(a)(1)(C) is adopted to require that the use of an AED in RCFEs be reported in writing to the licensing agency within seven days. The adoption of this section requires renumbering previous Section 87561(a)(1)(C) to Section 87561(a)(1)(D) for numerical consistency.

Factual Basis:

This section is necessary to specify that the use of an AED in RCFEs is a reportable event as identified in Section 87561(a)(1). Renumbering previous Sections Section 87561(a)(1)(C) to Section 87561(a)(1)(D) is necessary for numerical consistency.

Section 87575.2

Specific Purpose:

This section is adopted to establish the requirements for having and using AEDs in RCFEs.

Factual Basis:

This section is necessary to ensure that users of AEDs in RCFEs have the necessary training; that AEDs are properly maintained and used; that their use is reported as specified

in Section 87561; and that Do-Not-Resuscitate orders are observed as specified in Section 87575.1.

Section 87575.2(a)

Specific Purpose:

This section is adopted to permit licensees of RCFEs to maintain and operate an AED within their facilities.

Factual Basis:

This section is necessary to provide permission for the use and operation of AEDs in RCFEs.

Section 87575.2(a)(1)

Specific Purpose:

This section is adopted to require licensees to notify the licensing agency in writing that an AED is in the RCFE and will be used in accordance with all applicable federal and other state requirements.

Factual Basis:

This section is necessary to ensure that the Department is aware of which RCFEs have AEDs so that the Department can monitor their use, as required by Health and Safety Code Section 1797.196.

Section 87575.2(a)(2)

Specific Purpose:

This section is adopted to require that AEDs in RCFEs be used in accordance with all applicable federal and other state requirements.

Factual Basis:

This section is necessary to place into regulation that in RCFEs, AEDs be used in accordance with all applicable federal and other state requirements, as required by Health and Safety Code Section 1797.196.

Sections 87575.2(a)(3) through (a)(3)(E)

Specific Purpose:



These sections are adopted to identify the items which must be maintained in an RCFE which has an AED: (A) a copy of the required physician's prescription for the AED; (B) a training manual from an American Heart Association- or American Red Cross-recognized AED training class; (C) a log of checks of operation of the AED containing the dates checked and the name of the person checking; (D) a copy of a valid AED operator's certificate for any employee(s) authorized by the licensee to operate the AED on the premises; and (E) a log of quarterly proficiency demonstrations for each holder of an AED operator's certificate who is authorized by the licensee to operate the AED on the premises.

Factual Basis:

These sections are necessary to place into regulation the items that must be maintained in an RCFE that has an AED, as required by Health and Safety Code Section 1797.196.

Sections 87575.2(a)(4) through (a)(4)(E)

Specific Purpose:

These sections are adopted to require that the RCFE have readily available a supply kit containing these items: (A) a back-up battery set; (B) an extra set of pads; (C) a safety razor for shaving chest hair when necessary to apply the pads; (D) a cardiovascular pulmonary resuscitation barrier (a face shield or mask) for protection from transmission of infectious disease; (E) and two pairs of unused medical examination gloves (latex or non-latex).

Factual Basis:

These sections are necessary to place into regulation the requirement that the RCFE maintain a supply kit containing necessary supplies, as required in Health and Safety Code Section 1797.196.

Section 87575.2(a)(5)

Specific Purpose:

This section is adopted to require the reporting of any use of an AED in an RCFE, as specified in Section 87561(b).

Factual Basis:

This section is necessary to specify that the use of an AED in an RCFE is a reportable event as identified in Section 87561(b).

Section 87575.2(a)(6)

Specific Purpose:

This section is adopted to require the observance of any Requests to Forego Resuscitative Measures, Advance Directives and Do-No-Resuscitate Orders when an AED is used in an RCFE, as specified in Section 87575.1.

Factual Basis:

This section is necessary to specify that in an RCFE, the requirement of observing any Requests to Forego Resuscitative Measures, Advance Directives and Do-No-Resuscitate Orders applies to the use of AEDs, as specified in Section 87575.1.

Section 87801(a)(8)

Specific Purpose:

This section is adopted to define the term " Automated External Defibrillator" (AED) as it applies to residential care facilities for the chronically ill (RCFCIs).

Factual Basis:

This section is necessary to provide a definition of this term as it is used in RCFCIs.

Sections 87861(b)(1)(C) through (b)(1)(I)

Specific Purpose:

Section 87861(b)(1)(C) is adopted to require that the use of an AED in an RCFCI be reported to the licensing agency within one business day. The adoption of this section requires renumbering previous Sections 87861(b)(1)(C) through (b)(1)(H) to Sections 87861(b)(1)(D) through (b)(1)(I) for numerical consistency.

Factual Basis:

Section 87861(b)(1)(C) is necessary to specify that the use of an AED in RCFCIs is a reportable event as identified in Section 87861(b). Renumbering previous Sections 87861(b)(1)(C) through (b)(1)(H) to Sections 87861(b)(1)(D) through (b)(1)(I) is necessary for numerical consistency.

Section 87925

Specific Purpose:

This section is adopted to establish the requirements for having and using AEDs in RCFCIs.

Factual Basis:

This section is necessary to ensure that in RCFCIs, users of AEDs have the necessary training; that AEDs are properly maintained and used; that their use is reported as specified in Section 87924; and that Do-Not-Resuscitate orders are observed as specified in Section 87861(b), as required in Health and Safety Code Section 1797.196.

Section 87925(a)

Specific Purpose:

This section is adopted to permit licensees of RCFCIs to maintain and operate an AED within their facilities.

Factual Basis:

This section is necessary to provide permission for the use and operation of AEDs in RCFCIs.

Section 87925(a)(1)

Specific Purpose:

This section is adopted to require licensees to notify the licensing agency in writing that an AED is in the RCFCI and will be used in accordance with all applicable federal and other state requirements.

Factual Basis:

This section is necessary to ensure that the Department is aware of which RCFCIs have AEDs so that the Department can monitor their use.

Section 87925(a)(2)

Specific Purpose:

This section is adopted to require that AEDs in RCFCIs be used in accordance with all applicable federal and other state requirements.

Factual Basis:

This section is necessary to place into regulation that in RCFCIs, AEDs be used in accordance with all applicable federal and other state requirements, as required by Health and Safety Code Section 1797.196.

Sections 87925(a)(3) through (a)(3)(E)

Specific Purpose:

These sections are adopted to identify the items that must be maintained in an RCFCI that has an AED: (A) a copy of the required physician's prescription for the AED; (B) a training manual from an American Heart Association- or American Red Cross-recognized AED training class; (C) a log of checks of operation of the AED containing the dates checked and the name of the person checking; (D) a copy of a valid AED operator's certificate for any employee(s) authorized by the licensee to operate the AED on the premises; and (E) a log of quarterly proficiency demonstrations for each holder of an AED operator's certificate who is authorized by the licensee to operate the AED on the premises.

Factual Basis:

These sections are necessary to place into regulation the items that must be maintained in an RCFCI that has an AED, as required by Health and Safety Code Section 1797.196.

Sections 87925(a)(4) through (a)(4)(E)

Specific Purpose:

These sections are adopted to require that the RCFCI have readily available a supply kit containing these items: (A) a back-up battery set; (B) an extra set of pads; (C) a safety razor for shaving chest hair when necessary to apply the pads; (D) a cardiovascular pulmonary resuscitation barrier (a face shield or mask) for protection from transmission of infectious disease; (E) and two pairs of unused medical examination gloves (latex or non-latex).

Factual Basis:

These sections are necessary to place into regulation the requirement that the RCFCI maintain a supply kit containing necessary supplies.

Section 87925(a)(5)

Specific Purpose:

This section is adopted to require the reporting of any use of an AED in an RCFCI, as specified in Section 87861(b).

Factual Basis:

This section is necessary to specify that the use of an AED in an RCFCI is a reportable event, as specified in Section 87861(b).

Section 87925(a)(6)

Specific Purpose:

This section is adopted to require the observance of any Requests to Forego Resuscitative Measures, Advance Directives and Do-No-Resuscitate Orders when an AED is used in an RCFCI, as specified in Section 87924.

Factual Basis:

This section is necessary to specify that in an RCFCI, the requirement of observing any Requests to Forego Resuscitative Measures, Advance Directives and Do-No-Resuscitate Orders applies to the use of AEDs, as specified in Section 87924.

b) Identification of Documents Upon Which Department Is Relying

Health and Safety Code Section 1797.196.

c) Local Mandate Statement

These regulations do not impose a mandate on local agencies of school districts. There are no state-mandated costs in these regulations which require state reimbursement under Section 17500, et seq. of the Government Code.

d) Statement of Alternatives Considered

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

e) Statement of Significant Adverse Economic Impact On Business

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.